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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,808	09/11/2003	Dennis Nordman	0114212-007	7064

29159 7590 10/04/2006

BELL, BOYD & LLOYD LLC
P. O. BOX 1135
CHICAGO, IL 60690-1135

EXAMINER

COLLINS, DOLORES R

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/660,808		NORDMAN, DENNIS	
	Examiner		Art Unit	
	Dolores R. Collins		3711	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Examiner acknowledges response by applicant's representative received 9/11/06. Examiner further acknowledges the corrections/clarifications made in response to the previous office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baerlocher et al. (863) in view of Kelley et al. (763).

Baerlocher et al. Discloses a Gamine Device With Bonus Mechanism.

Regarding claims 1, 7, 9, 14-16, 18 & 20-22

Baerlocher teaches all the limitations except the plurality of pointers (see figure 1). Kelley et al. Discloses an Arcade Game having Multiple Rotating Pointers. It would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify Baerlocher to include additional pointers to provide flexibility in choices for the players.

Regarding claim 2

Baerlocher teaches game credits, prizes and a bonus feature (see abstract, figure 1 and claim1).

Regarding claims 3, 5 & 10-11

Baerlocher teaches a display which includes symbols (see figure 1).

Regarding claims 4 & 12-13

Baerlocher teaches two-motion producing devices for his reel and single pointer (see figure 1), but fails to explicitly teach a third motion-producing device. Kelley et al. Discloses an Arcade Game having Multiple Rotating Pointers operated by multiple motion producing devices (see Col. 5, lines 26-44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baerlocher to include an additional pointers (a third motion producing element/device) to provide flexibility in choices for the players.

Regarding claims 6 & 8

Baerlocher teaches a reel with credit values and a spinner with values used to indicate awards/outcome (which are inherently multiples of the amount paid to activate the game).

Regarding claims 17, 19 & 23

Baerlocher teaches two motion producing devices for his reel and single pointer (see figure 1). His wheel and pointer is used to determine ultimate outcome (a translation from game input to reward. Baerlöcher however fails to teach that his translating indicator can be rotated in multiple directions. Kelley et al. Discloses an Arcade Game having Multiple Rotating Pointers. His pointers are capable of rotating in multiple directions (see col. 5, lines 45-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baerlocher to include an additional pointer~~s~~ (a third motion producing element/device) to provide flexibility in choices and mystery for the players.

Response to Arguments

Applicant's arguments filed 9/11/06 have been fully considered but they are not persuasive. Applicant has amended the independent claims and has submitted arguments based on the amendments thereof. Applicant arguments are extensive, however, the amended claims in view of the specification as best understood, seem to be introducing new matter. In an effort to advance prosecution, applicant is invited to schedule an interview to discuss this application.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and are cited to show the state of art with respect to features of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ***Dolores R. Collins*** whose telephone number is ***(571) 272-4421***. The examiner can normally be reached on 8.00 A.M. - 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ***Eugene Kim*** can be reached on ***(571) 272-4463***. The fax phone number for the organization where this application or proceeding is assigned is ***571-273-8300***.

Art Unit: 3711

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).



9/28/06



EUGENE KIM
SUPERVISORY PATENT EXAMINER
EUGENE KIM
SUPERVISORY PATENT EXAMINER